

Amendments to the Drawings

The attached two sheets of drawings include changes to Figs. 1-3. The sheets, which include Figs. 1-4, replace the original sheets including the same figures.

REMARKS

Claims 1-31 are pending in the case, of which claims 26-31 are withdrawn from consideration. Claims 7-8, 11, 13, 19-20 and 25 are indicated to be allowable while the remaining claims are rejected. In the present submission, the withdrawn claims 26-31 and claims 5-7, 17-19 and 25 are cancelled. Also, claims 1, 8-15 and 20-22 have been amended and new claims 32-34 have been added. Applicant has also amended the title of the application. Reconsideration is respectfully requested.

Drawing Objections

Figures 1-3 have been amended to include the "Prior Art" legend as required by the Examiner. Withdrawal of the drawing objections is respectfully requested.

Title

The title has been amended as required by the Examiner.

Claim Objections

Claims 10 and 11 are objected to because of various informalities. In the present submission, claims 10 and 11 have been amended. Withdrawal of the drawing objections is respectfully requested.

§112 Rejection

Claims 12 and 14 are rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. In the present submission, claim 11, from which claims 12 and 14 depend, has been amended to depend from independent claim 9. As thus amended, claims 12 and 14 are now dependent on independent claim 9 which recites the limitation of a composite filter. Support for claims 12 and 14 can be found on page 10, lines 1-17, of Applicant's specification. Claims 12 and 14, as amended, are fully described in Applicant's specification as filed and thus meet the written description requirements under §112, first paragraph.

§102(b) Rejection

Claims 1, 5-6 and 9-10 are rejected under 35 U.S.C. §102(b) as being anticipated by Watanabe (U.S. Patent 7,703,641). Applicant respectfully traverses the rejections.

In the present submission, claim 1 has been amended to include the limitations of dependent claim 7. Claim 7 is indicated to be allowable and therefore claim 1 is in condition for allowance. Claim 7 is now cancelled. Claims 5 and 6 are also cancelled and the rejection as to claims 5 and 6 is therefore moot.

Claim 9 has been amended to include all the limitations of base claim 1. Claim 9 is now an independent claim. Claim 9 is also amended to recite “each filter in said array of selectively transmissive filters comprises a composite filter for transmitting visible light of said first color spectrum and said second color spectrum.” A “composite filter” is described in Applicant’s specification, page 10, lines 1-27, and shown in Figures 8a-8d and 9.

Claim 9 is patentable over Watanabe at least because Watanabe fails to teach or suggest a “composite filter” as recited in claim 9. As shown in Figures 4-9 and described in the associated description of Watanabe, the color filter 17 of Watanabe is positioned so that each picture element (channel region 13) is covered by two different color filters. Watanabe does not teach or suggest using a “composite filter” that can transmit visible light of two different color spectra. Claim 9 is therefore patentable over the cited reference.

Claim 10 has been amended to recite “each composite filter in said array of transmissive filters has a spectral response indicative of a combination of a spectral response of said first color spectrum and a spectral response of said second color spectrum.” Claim 10, dependent upon claim 9, is patentable over Watanabe at least for the same reasons claim 9 is patentable. Claim 10 is patentable over Watanabe for the additional reason that Watanabe fails to teach or suggest a composite filter having a spectral response that is a combination of two different color spectra.

Claims 11-14 have been amended to depend from claim 9 and claims 11-14 are patentable at least for the same reasons claim 9 is patentable.

For the above reasons, claims 1, 9 and 10 are patentable over the cited reference and withdrawal of the §102(b) rejection is respectfully requested.

§103(a) Rejection

Claims 2-3, 15-18 and 21-24 are rejected under 35 U.S.C. §103(a) as being unpatentable over Watanabe (U.S. Patent 7,703,641) in view of Fowler et al. (U.S. Patent 5,461,425). Claim 4 is rejected under 35 U.S.C. §103(a) as being unpatentable over Watanabe in view of the Examiner's Official Notice. Applicant respectfully traverses the rejections.

Claims 2-4, dependent upon claim 1, are patentable over Watanabe at least for the same reasons that claim 1 is patentable. Fowler does not cure the deficiency of Watanabe. Therefore, claims 2-4 are patentable over the cited references.

Claim 15 has been amended to include the limitations of dependent claim 19. Claim 19 is indicated to be allowable and therefore claim 15 is in condition for allowance. Claim 19 is now cancelled.

Claim 16, dependent upon claim 15, is patentable over the cited references at least for the same reasons that claim 15 is patentable. Claims 17 and 18 are cancelled and the rejection as to these claims is therefore moot.

Claim 21 has been amended to include all the limitations of base claim 15. Claim 21 is now an independent claim. Claim 21 is also amended to recite "each filter in said array of selectively transmissive filters comprises a composite filter." For the same reasons stated above with reference to claim 9, claim 21 is patentable over Watanabe. Fowler does not cure the deficiency of Watanabe. Therefore, claim 21 is patentable over the cited references.

Claim 22 has been amended to include the limitations of dependent claim 25. Claim 25 is indicated to be allowable and therefore claim 22 is in condition for allowance. Claim 25 is now cancelled.

Claims 23-24, dependent upon claim 22, are patentable over the cited references at least for the same reasons that claim 22 is patentable.

For the above reasons, claims 2-4, 15-16 and 21-24 are patentable over the cited references and withdrawal of the §103(a) rejection is respectfully requested.

New Claims

New claims 32-34 have been added.

Claim 32, dependent upon claim 1, is patentable at least for the same reasons that claim 1 is patentable.

Claim 33, dependent upon claim 9, is patentable at least for the same reasons that claim 9 is patentable.

Claim 34, dependent upon claim 21, is patentable at least for the same reasons that claim 21 is patentable.

CONCLUSION

After the present amendment, claims 1-4, 8-16, 20-24 and 32-34 are pending in the present application. For the reasons stated above, the claims are in condition for allowance. Passage of the present case to allowance is respectfully requested. If the Examiner would like to discuss any aspect of this application, the Examiner is invited to contact the undersigned at (408) 382-0480.

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I hereby certify that this correspondence is being submitted electronically to the United States Patent and Trademark Office using EFS-Web on the date shown below.

/Carmen C Cook/	October 30, 2006
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Respectfully submitted,

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